

**Excerpt from the  
Monday, May 13, 2002  
CITY PLANNING COMMISSION  
MINUTES  
220 City Hall  
Minneapolis, Minnesota 55415  
4:30 p.m.**

3. **725 Vineland Place & 1750 Hennepin Avenue (7<sup>th</sup> Ward - BZZ-555, Site Plan Review)**  
Application by the Walker Art Center for site plan review of a proposed museum addition of approximately 139,500 square feet and an underground parking facility. This item was continued at the April 29, 2002 meeting. (Staff, Jason Wittenberg)

Jason Wittenberg presented the staff report.

Commissioner Bradley disclosed that he had received a phone call from Mr. Galligan. They talked about some of the conditions recommended by staff. When the parking ramp is built, when will those spaces come on-line (he referred to the chart showing 70 parking stalls)?

Bill Underwood, 2200 Wells Fargo, replied looking at any one of the Phase drawings, you will see at the end of Phase III, approximately June, 2003, the underground parking facility owned by the City would come on-line and at that time there would be approximately 750 stalls available as shown on the site plan. That included approximately 670-680 in the municipal parking ramp and approximately 70 at 1 Groveland which was a property across Groveland owned by the Walker.

Commissioner Bradley asked if they subtracted the 70, how many spaces would be available?

Mr. Underwood replied it would be approximately 680 in the underground parking facility. What the last number showed was the 70 parking stalls that were available at 1 Groveland. He wanted to respond to two of the interim conditions that the Commissioners dealt with on April 29<sup>th</sup>. Mr. Wittenberg used the phrase in the fourth recommended guideline for the Walkers design of the open areas, "encouraged to consider vegetation" rather than an all hard covered surface.

President Martin clarified that it said incorporate natural vegetation along Hennepin Avenue rather than designing a hard-scape only area.

Mr. Underwood replied that was correct, but he believed Mr. Wittenberg discussed encouraged to consider and that was language that he asked Commissioners to consider. They had recently hired an amazing landscape architect and rather than using restrictive language such as incorporate, they would like to allow him the flexibility to work to create the urban connection to the East side of the Walker Expansion while allowing the four acres of green space to really connect to a more natural environment on the West side of the expansion. They concurred with the second interim condition, Mr. Wittenberg said to change the "and" to "or" and the Walker agreed with that and would recommend that change.

President Martin noted that the public hearing had been closed at the last meeting.

Commissioner LaShomb indicated that he had been contacted by the Associate Director of the Walker and also Mr. Rubenstein with savetheguthrie.org and he wanted to state that they had conversations away from the table on this issue. The first conversation related to issues that the Commissioners might have had on the issue that caused the layover and in the case of Mr. Rubenstein, the issue was whether or not something could be done to eliminate the demolition permits for the present Guthrie.

Commissioner Schiff stated that they asked for this to be laid over so the Commission could get more data from the Walker and the data had been just made available for the first time to the public.

Commissioner Schiff motioned to reopen the public hearing to receive comments on the new information available. The motion carried, Commissioner Bradley voted no.

The public hearing was opened.

Council Member Goodman, 7<sup>th</sup> Ward, indicated that the Walker had spent the past month meeting with hundreds of people in the Lowry Hill, Bryn Mawr, Loring Park and Kenwood neighborhoods, they had been the main speaker at the annual meetings of all of those organizations and each of the meetings had over 50 people in attendance as they went through some of the site plan issues as well as the plan for their project. She could say with a great deal of certainty, because she had attended all of those meetings, that there was enormous public support in the community for this project, particularly as it pertained to four acres of green space that the project was discussing incorporating. The announcement of a landscape architect was very encouraging and she agreed with the staff recommendation, despite the Walkers concerns that the issues of impervious surface on Hennepin Avenue have to be addressed through their landscape architect, with landscaping, not impervious surface. The feedback her office had received from the public, especially the people that live in the community, was that they didn't want to see this stalled for political reasons and that they wanted to see this project moving forward as quickly as possible so that they didn't have to look at a very large, empty, open, destroyed Allianz building and construction site forever. Over 200 people had heard their presentation through the community process and no one had approached her with enormous concerns.

Bob Roscoe, 1401 E River Pkwy, representing an organization called savetheguthrie.org, concurred with Council Member Goodman that Phases I-VI of this project should happen as quickly as possible. Phases VII and VIII, first being the removal of the Guthrie Theater and the landscaping plan that followed had some people concerned. He had a conversation with Commissioner Nestingen who asked a very important question that he thought deserved to be discussed. He asked how the impending demolition of the Guthrie Theater would compare with the Metropolitan Building that was demolished in 1962? He said that there were some strong comparisons. Both the Metropolitan Building in the 19<sup>th</sup> Century and the Guthrie in the 20<sup>th</sup> Century were top notch sublime examples of architecture excellence that each century contributed to Minneapolis. Both were outstanding examples of how an emerging economy, an emerging culture in Minneapolis could provide such

magnificent structures. Beyond the architectural aspect, he thought there was something else that made any loss of the Guthrie much more important than the loss of the Metropolitan Building. The Metropolitan Building, splendid as its architecture was, and was mourned because of that architectural loss, the elegance, it represented one building that was part of a whole downtown office building district. The Guthrie has been much more than that, not only to Minneapolis and St. Paul, but to this region and the nation. The Guthrie Theater was one of the spearheading efforts by Sir Tyrone Guthrie to introduce the thrust stage into modern theater. The theater itself when it was built really provided a fantastic jump start to Minneapolis' cultural infrastructure. We have seen the growth of the theater movement. We have seen a building that citizens from all over the state have come to visit. It has been a regional resource culturally for the State of Minnesota. It is recognized world over. You can look in books on world architecture, look in the bibliography with the Guthrie Theater and you'll see many references to it. It is a very important building and he asked Commissioners to find it in their hearts to look beyond the words and dashed lines of the site plans and the staff report and realize that this is a highly important cultural resource that this city cannot afford to lose. It is irreplaceable.

Aaron Rubenstein, 3249 Emerson Av. S, member of Savetheguthrie.org, stated he wanted to underscore what Mr. Roscoe said to encourage the Commission to approve Phases I-VI, but not VII and VIII. Because the Comprehensive Plan says to protect potentially significant historic structures from demolition until the City can determine the significance of the structure and explore alternatives to demolition and there seems to be a compelling reason not to approve the demolition.

President Martin stated the demolition permit had been approved. The Planning Commission had nothing to do with that.

Mr. Rubenstein replied that he understood that, but the permit would expire in October or November.

President Martin indicated that Commission had nothing to do with that either. It was not under the Commissions purview to deal with that.

Mr. Rubenstein noted that the Comprehensive Plan was, and approval of the site plan required a finding that it was in conformance with the Comprehensive Plan.

The public hearing was closed.

Commissioner Young stated regarding the "encouraged to consider" on the landscaping and impervious pavement, she didn't feel encouraged to consider was strong enough. They could also get out of encouraging somebody to do something. She would support Council Member Goodman and the fact that she thought they should leave it the way it was in the staff report. She was also unclear about the CPTED, energy efficiency, using recycled materials, all of the new alternative green things they would like them to consider. If they continue to say encourage, that was all people would do and she had been dealing with that for about 25 years. She felt that they needed to start being a little stronger. On the trees and the vegetation around the loading dock, she was concerned if that would come back before the Commission?

President Martin replied it would.

Commissioner Young stated that she hoped they would do something besides just plant big trees because that wasn't enough.

Commissioner Hale indicated that she was also contacted by Mr. Galligan. She had a particular fondness for the Guthrie having been a President of the Board of the Guthrie at one point and hoped very much that it could be saved. When the City Council made their decision as they did, that was then out of the Guthrie and other peoples hands. The City Council decision she was referring to was when the Guthrie had requested that there be a transfer of some of the land from the ball fields into some of the land to the North. When that was turned down, there simply wasn't enough room for the Guthrie to expand their site as necessary. With reluctance, she was supporting the plan as it was.

Commissioner Schiff motioned to approve the site plans numbered Phases I-VI with the conditions listed on pages two and three of the staff report.

Wittenberg, staff, clarified that in the interim conditions, some replaced part of the original staff recommendations.

President Martin indicated that she wanted to be clear that they did not have Phases identified. What Commissioner Schiff was trying to approve were the versions of the site plan that went up through Phase VI?

Commissioner Schiff replied yes, there are six independent site plans that would be phased through time.

Commissioner Bradley stated that he was not comfortable with that concept. When construction starts, it tries to go on until it is finished. He thought that the architects and the Walker had shown a time line from the start of construction to project completion. The day the doors open and he didn't think that the site plan, because they were showing it as phases on a calendar, meant that they were different site plans. That was a brand new concept for him.

President Martin asked from staff's understanding, what was the actual site plan before the Commission? Was it what was in front of them?

Wittenberg, staff, replied that the applicant had submitted something that said "site plan," but it would be difficult to argue with the notion that each of those was its own site plan.

President Martin asked as staff understood it, each one of those was a separate site plan that needed separate approval?

Wittenberg, staff, replied no. Each of those represented the site at different points in time, it was an evolution of site plans.

President Martin asked from the perspective of the Department, was the site plan that the Commission was being asked to approve, with the 15 conditions, the final site plan?

Wittenberg, staff, asked if President Martin was referring to the project completion site plan?

President Martin replied yes.

Wittenberg, staff, responded that was the one that the applicant was asking the Commission to approve.

President Martin clarified that Commissioner Schiff was moving approval of the version of the site plan that was not the project completion site plan?

Commissioner Schiff replied that the intention of the motion was to allow the applicant to proceed with the work as described in Phase I, Phase II, Phases III, IV, V, and Phase VI, with the intention that the applicants would have to come back in January, 2005, as there was a break in the work as shown in the time line, for Phases VII and VIII, if they didn't have to seek a new conditional use permit, if they didn't have to renew all of the permits due to the time schedule and due to the circumstances of the timeline. We don't know when the work is going to be completed. He thought it was too soon to approve work to be done in 2005.

President Martin stated that the motion before the Commission was to approve not the final site plan, but the interim site plans with the 15 conditions and the guidelines that staff recommended.

Commissioner Johnson seconded the motion.

Commissioner Bradley stated that this was very unusual. He had been dealing with construction projects for a long time and the site plan started with what was existing and ended with what was finished. When this site plan was finished in November 2004, the Guthrie would be demolished. He thought this was an issue about the demolition of the Guthrie as opposed to an issue of the site plan for the Walker's expansion.

Commissioner Schiff replied that this was about approving the site plan for the Walker's expansion as it shall appear for several years to come. The events in Phase VI are speculation and to give approval at this point in time to those events, he thought was also quite rare that this Commission approve something three years in advance. He didn't know if they had ever been asked to approve something three years in advance.

Commissioner Bradley stated if the Hiawatha Light Rail came through this Commission, a football stadium came through this Commission, any of those issues, a theater on the riverfront came through this Commission, the Commission approved the site plan as submitted by the applicant. That was the finished site plan. They were not going to go down to 46<sup>th</sup> street, stop the light rail and tell them that they need to come back before the Commission again. That light rail goes all the way to the Mall Of America which is not even in our jurisdiction, it has been approved. That was the way construction worked. This was part of the process. Tearing down the Guthrie was part of the process to finish the site plan as submitted by the applicant. If he told him the issue was that they wanted to deal with the Guthrie Theater, that was a discussion, but to stop the Walker from going there with the site plan that they applied under, which was Phase VIII, meant that they wouldn't be approving the application that the applicant submitted.

Commissioner Schiff indicated that it didn't stop everything in the application.

Commissioner Bradley stated that he thought the issue was about the Guthrie.

Commissioner Schiff replied that there was a multi-million dollar expansion which the Commission would give approvals for in Phases I-VI and that was the substantial work of this project. If the Guthrie were demolished, as they heard in the public testimony there were several items of that demolition that would be in violation of the Comprehensive Plan, if that were to occur, if this time line were to occur on schedule, if they were to receive state funding, there were a lot of “ifs” in this plan and should the demolition not occur, the approval of Phases VII and VIII by this body, gave more legal weight to a claim of damages, and to several other circumstances that were “up in the air” and he didn’t believe they should get into that now. The Commission should approve what was before them now, what they could proceed with right now. This did not slow down at all the plans that they had asked for in the next three years.

Commission Bradley stated he was not talking about slowing down the plans. The applicant submitted an application that said project completion went all the way through to Phase VIII. This project was completed when the key was put in the door and the building was open, that was when it was completed, that was Phase VIII. If this was an issue about the Guthrie and law suits and money and funding and phasing and the Comprehensive Plan, we can tear this building down without violating the Comprehensive Plan. The Guthrie is moving to a new building on the riverfront in downtown Minneapolis which still is within the guidelines of the Comprehensive Plan.

Commissioner Schiff replied hopefully.

Commissioner Bradley stated that was all of the information he had at the moment. If Commissioner Schiff wanted to save this building, he needed to persuade him that the Commission should have the discussion. This issue never came before this Commission at all. The City Council, prior to your [Commissioner Schiff’s] election, gave the Walker a demolition permit. To move in the direction that Commissioner Schiff was suggesting, to him, started to “muddy” the line between the City Council and he thought that was an extremely awkward place for the Commission to go. Prior to your [Commissioner Schiff’s] election, prior to Lisa Goodman’s election, the City Council routinely sent special council permits to this body. The buildings would be under construction and they would send them in for our approval. This Commission had fought long and hard to make a distinction between what the Council’s work was and what was the Commissions work. If we “muddy the water” now, which other Council Member is going to come in and ask us to “muddy the water” for something else? It is dangerous for a City to proceed in that way in making decisions. The City Planning Commission never had this issue before it in terms of the Guthrie, he didn’t think it should be before them now, he thought they should approve what the applicant submitted, which was Phase VIII, that was part of their application and that was what he thought the Commission should approve.

Commissioner Schiff indicated that the Planning Commission was a sub-committee and the Zoning and Planning Committee of the City Council had authority over many of the decisions that the Commission made. There are several decisions that the Commission could make that could not be on appeal changed by the Zoning and Planning Committee and the full City Council. Like it or not, that was the way the City government was structured. They were not entering into any new territory and nobody was “messaging” in anyone else’s business, this was all the City’s business and there are many units of the government that have oversight. There was a decision for a demolition permit and that permit would expire. That decision was separate from the decision that the Commission was faced with. Permission to demolish was one thing, permission to build something in its place was another whole set of approvals. That was what was before the Commission.

Commissioner Young believed that the demolition permit was halfway completed. It was her understanding that some of the outside “skin” had already started to be removed from the building and when you look at Phase VIII, it says that demolition would occur in Phase VII, she believed that meant the inside because the outside was already being removed. They are in the middle of their demolition process. She wanted to speak as a Park Board Commissioner and the fact that Phase VIII impacted the four acres of what would be the next sculpture garden. To wait that long meant that they wouldn’t be able to start acquiring various sculptures and look at the layout of what they wanted to occur until after 2005 if they were going to hold everything up. It took them a long time to get things done, as it does the Walker and so she supported the completion. The project had been through a lot of pain and agony. This was a very emotional issue for people. She believed the whole site plan was before the Commission, all phases including the end product which was another sculpture garden for the Minneapolis Park Board.

Commissioner LaShomb indicated looking at the various phases, if they removed Phases VII and VIII, maybe they should decide that each one should be handled individually and just do eight of them in a row. He didn’t like going back and trying to re-write history. His understanding was that when this issue was before the City Council last fall, he had conversations with representatives of Save the Guthrie and one of the things he made very clear was that his feeling was that the Minneapolis taxpayers want to keep historical buildings, but someone had to pay for them. He couldn’t imagine what group could go in there and make it go viable to maintain a building 35-40 years old and make modifications. Building the garage may shake the foundation of the Guthrie building. If they were going to go backwards at the Planning Commission and try and redo every decision that was made by a City Council or previous Planning Commission or Minnesota Supreme Court, his term wouldn’t be long enough. If they were going to take a vote, he agreed with Commissioner Bradley that this would be a big change in the way they do business and he requested a roll call vote.

Commission Johnson stated that she seconded the motion because she thought there were a lot of “ifs” in this decision. She thought that there was a possibility that the Guthrie may not move. There was a possibility of all sorts of things happening. There was a possibility that the State wouldn’t come through with the funding. She was from the East Coast and had spent some time in Europe and Morocco where they have 11<sup>th</sup> Century buildings and since she had moved to Minneapolis 22 years ago she felt like there had

been a lot of destruction of buildings. She had a hard time with this one. She felt that there was too much information that they didn't know and there were certain things that they needed to find out. There were certain conditions that had to happen. She seconded it so that they could have the discussion and also because she wanted to weigh in on the fact that she thought there was a lot that was not written in stone and they were going in a direction that may be drastically altered in the future considering how any one of those things could go in a different direction.

Commissioner Nestingen indicated for full disclosure that he had been contacted by several parties involved in this project. He concurred with the argument that this was not the time or place to argue the demolition of the Guthrie. The Commission was approving the site plan. He had been Director of a non profit and understood the costs of preservation. He was by profession a landscape architect. If other powers that he had decided it was best to demolish the Guthrie, he would leave that decision to them. He was a friend of Ralph Rapson, a student of Ralph Rapson's, an avid theater goer to the Guthrie and many other theaters. It, personally, was a loss to him. When he added the wording at the last meeting about commemorating the Guthrie, he wanted it known that it was wide open with whatever the "ifs" that Commissioner Johnson was talking about, whatever the "ifs" happen in the future, anything that could be preserved in commemoration of the Guthrie would be OK. He asked Bob Roscoe about the Metropolitan Building because they had all heard and most agree that was a big mistake. The powers to be at that time look back and they don't know how they could have changed the decision. It was taken down and everyone regrets that. If we look back in 40 years and decide that the Guthrie was a mistake, somebody else had made that choice, it was not the Commission's choice to make at this meeting. He agreed that they shouldn't be second guessing the other parties and also agreed that they should approve the site plan through the end phase. If there was no funding and if the Guthrie didn't move, all of the "ifs", just because they approve the site plan, didn't mean the Walker had to tear down the Guthrie. That was the way he looked at this.

The motion to approve the site plans numbered I-VI with the additional conditions and guidelines listed on pages two and three of the staff report **lost** by the following vote:

Yea: Johnson, Krueger and Schiff - 3

Nay: Bradley, Hale, LaShomb, Nestingen, Tucker and Young - 6

Wittenberg, staff, indicated that his intent with the guidelines was to allow the Commission and the applicant to weigh in on the guidelines. It was really meant only for informational purposes, although he didn't think there would be anything wrong with adopting those. He wanted to make the Commission aware that it was his intent to get them out there and see if the Commission wanted to add to them at this point. His intent was that they not be adopted.

Commissioner Bradley replied he would follow the staff recommendation and not adopt them.

President Martin asked if the understanding would be that the guidelines would be there and staff would measure against the guidelines as further applications came forward?

Wittenberg, staff, replied yes.



Commissioner Tucker believed it would be valuable to include the guidelines as item #16-20 of the conditions. He asked Commissioner Bradley to include them.

Commissioner Bradley noted on condition #18 regarding the hard-scape only, he would like to change the language to encourage the installation of natural vegetation and a different point of view than Commissioner Young, the reason was that he thought the Walker's landscape architect needed to be able to do an analysis and present their own ideas which may or may not include natural vegetation. He thought it was a design issue and they needed to see something come forward rather than tell them to do it.

President Martin asked staff if that would come back for review and approval?

Wittenberg, staff, replied yes.

Commissioner Bradley indicated because it does, he would like the language to say "encourage installation of natural vegetation" and because it was going to come back to the Commission, they would be able to comment on the inclusion of natural vegetation at that time.

Commissioner LaShomb asked if they could say "strongly" encourage in condition #18?

Commissioner Bradley replied yes.

Commissioner Tucker asked if the minimize impervious surfaces also applied to the Hennepin Avenue side?

Commissioner Bradley replied yes.

Commissioner Bradley motioned, Tucker seconded to adopt the findings prepared by staff and approve the site plan review application for a museum addition of approximately 139,500 square feet and an underground parking facility of 650 to 700 spaces at 725 Vineland Place/1750 Hennepin Avenue, subject to the following conditions: 1) The applicant shall return to the Planning Commission for a public hearing for review and approval of the landscape plan and design of all open spaces on the site prior to obtaining a building permit for the museum expansion. This review shall also include review and approval of the elevation of the entrance to the proposed parking facility and any other accessory structures such as egress stair structures and mechanical intake and exhaust structures; 2) The applicant shall work with staff to achieve screening to include walls, vegetation and/or public art on the loading dock area; 3) Paving materials of the loading area, including maneuvering areas and driveways, shall be of stamped concrete, brick, cement pavers or similar material offering greater aesthetic value than asphalt or plain concrete; 4) Curb cuts and driveways to access the loading dock shall not exceed 25 feet in width unless a greater width is approved by the Public Works Department; 5) The applicant shall submit a stormwater management plan for review and approval by the Public Works Department; 6) The applicant must have an approved Travel Demand Management Plan; 7) The applicant shall submit a lighting plan, study or diagram indicating to the satisfaction of city staff that the project will meet the lighting standards of Chapter 535 of the zoning code; 8) The Planning Department

shall review and approve the final elevations and final site plan; 9) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by April 29, 2004, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance; 10) Staff shall review site design for CPTED (Crime Prevention through Environmental Design) Principles; 11) A bus and vehicular drop off area on Hennepin Avenue shall be reviewed by the applicant; 12) The applicant shall consider including a commemoration of the Guthrie Theater; 13) The application is encouraged to look at alternative energy sources for energy efficiency; 14) The applicant is encouraged to consider the possibility of using salvaged and reused materials as a part of the project; 15) The applicant shall provide 2003 and 2005 site plans for the project; 16) Landscape and screen the loading area consistent with the requirements of the zoning code and consistent with the direction provided by the city planning commission; 17) Consider connectivity to the surrounding area when designing the open area to the west of the museum expansion. In particular, a strong connection should be considered to the intersection of Bryant and Groveland, which acts as a sort of “gateway” to the site from the Lowry Hill neighborhood; 18) The applicant is strongly encouraged to incorporate natural vegetation along Hennepin Avenue rather than designing a hardscape-only area; 19) Minimize impervious surfaces; and, 20) Incorporate Fire Department access requirements for the area west of the building. **Carried**, Commissioners Johnson and Schiff voted no.